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October 3, 1977

Mr. Harold Weisberg
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Dear Harold,

Enclosed is a clipping from the New York Times on a suit which E. Howard Hunt has filed against his former attorney, Bittman. It has statute of limitations problems similar to yours.

Up to this point, the law in the District of Columbia federal courts has been thought to quite liberal on the accrual of a cause of action for professional malpractice. But if the Noel case is precedent, it is not. There is a Catch 22: when federal courts determine the accrual of the cause of action, they look to state law. If Noel is precedent, or if Weisberg gets upheld on appeal, then the law in the federal courts of the District of Columbia may also assume a troglydite aspect. This is an example of how the tail can wag the dog.

The Hunt case is not necessarily identical because it does not involve allowing a statute of limitations to run, which was treated as the narrow issue in your case. But the effect could turn out to be the same.

Best regards,

Jim